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CASE 4-30879A/CGC 2114

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

Art Unit: 1624

PAIVI JAANA KUKKOLA

Examiner: T. Truong

APPLICATION NO: 09/533,219 ✓

FILED: MARCH 23, 2000 ✓

FOR: THYROMIMETIC ORGANIC COMPOUNDS ✓

Assistant Commissioner for Patents
Washington, D.C. 20231

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97(c)

Sir:

This Information Disclosure Statement is being filed in accordance with 37 C.F.R. §1.97(c).

In accordance with 37 C.F.R. §1.56, applicant wishes to call the Examiner's attention to the reference cited on the attached form PTO-1449.

Copy of this reference (US patent 6,326,398) is enclosed herewith.

Certification under 37 CFR 1.97(e)(2) with respect to U.S. patent 6,326,398 issued December 4, 2001 (the item of information submitted herewith).

No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

In view thereof, no fee is believed to be required. If a fee is deemed to be required, the Commissioner is hereby authorized to charge such fee to Deposit Account No. 19-0134.

REMARKS

U.S. patent 6,326,398 issued December 4, 2001 is a U.S. counterpart of WO 00/51971, already of record.

U.S. patent 6,326,398 discloses, but does not claim, subject matter relevant to the instant application. The claims of the '398 patent are limited to compounds wherein R³ and R⁴ together are part of a ring.

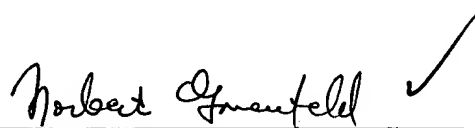
With respect to the instant claims, the Examiner is directed to column 10 (lines 50 and 51), of the '398 patent, naming the compound claimed in instant claim 22, but such disclosure is absent from the priority provisional U.S. application No. 60/122,292 filed March 1, 1999 (a copy of which was previously provided in the instant application).

In contrast thereto, it is respectfully submitted that the instant claims are fully supported by priority application No. 60/183,030, filed March 29, 1999 (e.g. example 25 on pg. 31 is directed to the compound of instant claim 22).

The Examiner is kindly requested to consider the foregoing information in relation to this application and indicate that the reference was considered by returning a copy of the initialed PTO 1449 form.

Respectfully submitted,

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Date: December 17, 2001